

Exhibit 4

Reply Brief in Support of Safer Al-Hawali's
Motion to Dismiss the Third Amended Complaint

03 MDL No. 1570 (RCC) / C.A. No. 03-CV-9849 (RCC)

U.S. COURTS

2004 JUL -2 PM 12:20

RECD
CAMERON S. BURKE
CLERK, IDAHO

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMI OMAR AL-HUSSAYEN,

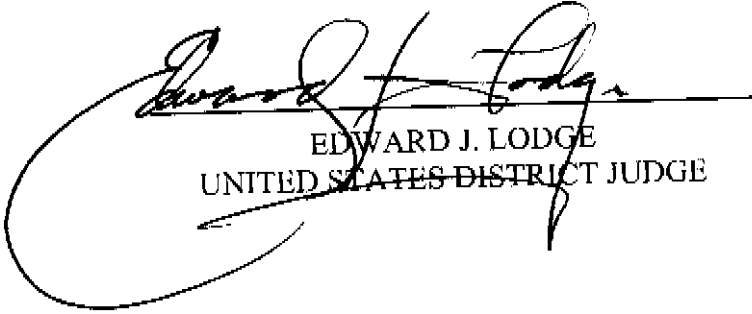
Defendant.

CASE NO: CR03-048-C-EJL

ORDER

On June 10, 2004, the jury in the above-entitled matter returned a verdict of not guilty on some counts but was unable to reach a verdict on other counts. The remaining counts have now been dismissed and there are no further charges pending against Mr. Al-Hussayen. Therefore, the United States Marshal's Service is hereby directed to release Mr. Al-Hussayen into the custody of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement.

IT IS SO ORDERED this 2nd day of July, 2004.


EDWARD J. LODGE
UNITED STATES DISTRICT JUDGE

United States District Court
for the
District of Idaho
July 2, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 3:03-cr-00048

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Kim R Lindquist, Esq. 1-208-334-1413
US ATTORNEY'S OFFICE
Box 32
Boise, ID 83707

David Z Nevin, Esq. 1-208-345-8274
NEVIN BENJAMIN & MCKAY
PO Box 2772
Boise, ID 83701

Scott McKay, Esq. 1-208-345-8274
NEVIN BENJAMIN & MCKAY
PO Box 2772
Boise, ID 83701

Charles F Peterson, Esq. 1-208-336-2059
PETERSON LAW OFFICE
913 W River St #420
Boise, ID 83702

Joshua L Dratel, Esq.
14 Wall St, 28th Floor
New York, NY 10005

U.S. Marshal
HAND DELIVERED

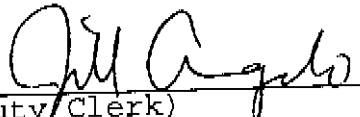
Probation
HAND DELIVERED

____ Chief Judge B. Lynn Winmill
____ ☒ Judge Edward J. Lodge
____ Chief Magistrate Judge Larry M. Boyle
____ Magistrate Judge Mikel H. Williams

Visiting Judges:
____ Judge David O. Carter
____ Judge John C. Coughenour
____ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 7-2-04

BY: 
(Deputy Clerk)